

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 3344

Toshiharu KOBAYASHI, *et al.*

Date: September 24, 2008

Serial No.: 10/537,477

Group Art Unit: 1793

Filed: June 3, 2005

Examiner: Caitlin Anne Fogarty

For: NI-BASED SINGLE CRYSTAL SUPER ALLOY

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**VIA EFS-WEB**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING  
REJECTION (37 CFR §1.321(b))

Sir:

Interest of Person Making This Disclaimer

I, Robert C. Faber, attorney of record, of Ostrolenk, Faber, Gerb & Soffen, LLP, with offices at 1180 Avenue of the Americas, New York, New York 10036, represent that I am a representative authorized to sign on behalf of the owner(s)/assignee(s) identified below owning all of the interest in this application.

The required fee accompanies this disclaimer \$140.00 (large entity).

Identity and Title of Disclaimant

The owners/assignees, having an undivided 100 percent interest in the instant application, are:

Name of assignee: Independent Administrative Institution national Institute for Materials Science

Address of assignee: 2-1, Sengen 1-Chome, Tsukuba-shi,

Ibaraki-Ken, Japan

Title of disclaimant authorized to sign on behalf of owners/assignee: Attorney of Record

Name of co-assignee: IHI Corporation

Address of assignee: 1-1 Toyosu 3-Chome,

Koto-Ku, Tokyo, Japan

Title of disclaimant authorized to sign on behalf of co-owner/co-assignee: Attorney of Record

### Recordal of Assignment in PTO

The assignment was recorded on June 3, 2005, at Reel 017078, Frame 0281. Said document has been reviewed and, to the best of the assignee's knowledge and belief, title is in the assignee.

### Recordal of Conveyance of Change of Name and Address of Co-Assignee in PTO

The conveyance of change of name and address was recorded on October 15, 2007, at Reel 020167, Frame 0027. Said document has been reviewed and, to the best of the assignee's knowledge and belief, title is in the assignee.

### Disclaimer


Robert C. Faber hereby disclaims the terminal part of any patent granted on the above-identified present application which would expire beyond the expiration date of the full statutory term of U.S. Patent No. 6,966,956; and

agrees that any patent so granted on the above-identified present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,966,956, this agreement to run with any patent granted on the above-identified present application and to be binding upon the grantee, its successors or assigns; and

does not disclaim any terminal part of any patent granted on said above-identified present application that would extend to the full statutory term of U.S. Patent No. 6,966,956 in the event that said issued patent later expires for failure to pay maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: March 23, 2009

  
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Robert C. Faber